## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BOARD OF PATENT APPEALS AND INTERFERENCES

Applicants:

Jun Yonemitsu et al.

RECEIVED

Serial No. :

09/522,786

DEC 0 9 2002

Filed

March 7, 2000

**Technology Center 2100** 

For

---

ror

OPTICAL DISK AND METHOD AND APPARATUS FOR

RECORDING AND THEN PLAYING INFORMATION BACK FROM

THAT DISK

Examiner

S. Baker 4A05

Art Unit

2133

745 Fifth Avenue

New York, New York 10151

Tel. (212) 588-0800

EXPRESS MAIL

Mailing Label Number EV196821317US

Date of Deposit December 4, 2002

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

(Typed or printed name of person mailing paper or fee)

(Signature of person mailting paper or fee)

RECEIVED

2002 DEC -6 AM IO: 35

BOARD OF PATENT APPEAL
AND INTERFERENCES

NOTICE OF APPEAL UNDER 37 CFR 1.191 FROM THE PRIMARY EXAMINER

TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Board of Appeals and Interferences Assistant Commissioner for Patents Washington, D.C. 20231

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the Examiner's Decision, in the Official Action dated June 5, 2002, finally rejecting claims 67-72, and from the Advisory Action dated September 27, 2002.

The item(s) checked below are appropriate:

- (1) [X] This response is being filed within the third month following the expiration of the term originally set therefor. This is a petition to request a three-month extension of time. It is believed that the fee for such extension of time has been previously paid. If, however, any fees for this petition are due, please charge them to Deposit Account No. 50-0320.
- (2) [X] Notice of Appeal Fee Under 37 C.F.R. 1.17(e): \$320.00
  - [X] Enclosed
  - [ ] Not required (Fee paid in prior appeal)
- (3) [X] Please charge any additional fees incurred by reason of this response or credit any overpayment to Deposit Account No. 50-0320.

(4) [X] An Oral Hearing is requested. (Two additional copies of the Notice are enclosed herewith).

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP Attorneys for Applicants

William S. Frommer Registration No. 25,506

Tel. (212) 588-0800